Application No. 10/582,858

Reply to Election of Species Requirement of April 13, 2011

REMARKS/ARGUMENTS

The Office is requiring an election of species. Applicants provisionally elect, with

traverse, the following species:

A - glycine; and

B - water-soluble granulate form,

for examination. The elected species is encompassed by at least claims 1-6 and 9.

Applicants make no statement regarding the patentable distinctness of the species, but

note that for restriction to be proper, there must be a patentable difference between the species as

claimed. MPEP § 808.01(a). The burden is on the Examiner to provide reasons and/or examples

to support any conclusion in regard to patentable distinction. MPEP § 803. The Office has not

provided any reasons or examples to support a conclusion that the species are indeed patentably

distinct.

Accordingly, Applicants respectfully submit that the restriction is improper, and

Applicants' election of species is for examination purposes only. Applicants respectfully request

that the election requirement be withdrawn.

Respectfully Submitted,

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